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### Parole Interview Transcript & Decision - FUSL000006

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NYS DEPARTMENT OF CORRECTIONS & COMMUNITY SUPERVISION  
BOARD OF PAROLE

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In the matter of

[REDACTED]

NYSID [REDACTED]

DIN [REDACTED]

\*\*\*\*\*

INTERVIEW TYPE: REAPPEARANCE

LOCATION: SING SING CORRECTIONAL FACILITY  
(Via Videoconference)  
314 W 40th Street  
New York, New York

DATE: July 12, 2017

DECISION DATE: July 12, 2017

BEFORE: COMMISSIONER CRUSE  
COMMISSIONER THOMPSON

ALSO PRESENT: JACQUELINE REID, SORC  
SOYICA GREAVES, OAl  
GWEN JORDAN, APA  
ERIK BERLINER, COMMISSIONER OBSERVING  
TYECE DRAKE, COMMISSIONER OBSERVING

AT FACILITY: DOMINICA PIAZZA, SORC  
DONNA DAVIS, ORC

[REDACTED]

REPORTED BY: Brynn C. Reynolds, Hearing Reporter

1 BY COMMISSIONER CRUSE:

2 Q. Good afternoon, sir.

3 A. Good afternoon.

4 Q. Your name, for the record?

5 A. [REDACTED] How are you doing?

6 Q. It's nice to meet you. My name is Commissioner Cruse;  
7 how are you doing today?

8 A. Good, how are you doing, Mr. Cruse?

9 Q. I'm doing good. With me today for your interview I  
10 have Commissioner Thompson; she's with me as well.

11 COMMISSIONER THOMPSON: Good afternoon, sir.

12 THE INMATE: Good afternoon, Commissioner  
13 Thompson.

14 BY COMMISSIONER CRUSE:

15 Q. [REDACTED] we're here to do a reappearance interview  
16 for you. You are aware of that, correct?

17 A. Yes.

18 Q. Excuse me, one minute, [REDACTED] For starters, sir,  
19 I would like to thank you for your packet.

20 A. Oh, yes, the advocacy packet.

21 Q. Yes, that's the first time I heard it called that but I  
22 know what you mean. Parole packet. It has your writings in  
23 there and speaks a lot about how you see yourself, you  
24 earning your GED and, you know, legal research activities  
25 and food handler certificate, significantly opened up your

1 mind and things like that, those are things that you're  
2 saying about yourself which is great; it's really great. I  
3 see the work that you're trying to do after being  
4 incarcerated and we'll pick up on that later as well. We're  
5 going to go forward with your instant offense, okay?

6 A. Yes.

7 Q. Murder second, one count A1. You were sentenced 25 to  
8 life on verdict in the Bronx; is that correct?

9 A. Yes. It was 20 years to life, that's the record.

10 Q. Twenty to life on verdict in the Bronx?

11 A. Yes.

12 Q. Promotion of prison contraband first, that's one count,  
13 D as in David, two to four where you pled in Westchester; is  
14 that correct?

15 A. Yes.

16 Q. The instant offense, in brief, says that in November of  
17 '91, 40th precinct responded to a radio dispatch of an  
18 assault and possible stabbing. That's the 40th precinct in  
19 Bronx, New York.

20 The victim was a 26-year old female who was found lying  
21 on her side with over 40 stab wounds on the kitchen floor;  
22 is that correct?

23 A. Yes.

24 Q. Emergency medical service pronounced the victim dead at  
25 the scene. You also received an additional charge for

1 promoting prison contraband in September of '97 in the  
2 Sing Sing Correctional Facility. You were found to have a  
3 toothbrush with a sharpened screw melted into the handle.

4 Is that correct?

5 A. Yes.

6 Q. You stated that you were fearful for your safety inside  
7 of the prison; is that right?

8 A. Yes.

9 Q. Okay. So let's talk about the instant offenses. This  
10 is your third appearance on this bid, right?

11 A. Yes.

12 Q. So some of the questions that we ask you, you may have  
13 answered before. However, this is a new opportunity, so  
14 please be as candid and transparent as you can in speaking  
15 with us, all right?

16 A. Okay.

17 Q. We have an instant offense where your victim was, in  
18 fact, found with 40 stab wounds lying on the kitchen floor.  
19 What happened with that, sir?

20 A. Well, basically, I was young at the time, I was 18, and  
21 I was living a hopeless environment and I was just -- I had  
22 a learning disability, and school, stuff like that, I was  
23 falsely arrested, and basically, you know, I committed a  
24 horrible act due to being I guess misplaced anger and just  
25 being frustrated from being put down and stuff like that.

1 Q. Was this victim your girlfriend?

2 A. No, she was an associate. I had a girlfriend but she  
3 was a friend of mine in the projects that lived in a house  
4 in the projects in the same building as I, she was just  
5 friends through my family; she knew my family, I knew her  
6 sister.

7 Q. So you knew your victim, and you knew the family, they  
8 knew you?

9 A. Yes.

10 Q. And the record indicates that your victim invited you  
11 up to the apartment to listen to music or something like  
12 that?

13 A. I used to make music and I used to buy, like, [REDACTED]  
14 [REDACTED] records to, like, sample them, because I had a  
15 recording studio and I had bought records from her in the  
16 past, and she invited me to buy records, and then she went  
17 to look for them, she said she didn't have no more, and then  
18 one thing led to another, she -- I guess she was, like,  
19 addicted to crack cocaine so she was kinda desperate for  
20 money so she offered me sex and stuff like that in return  
21 for money.

22 Q. So you had sex with her and you paid her, right?

23 A. Yes.

24 Q. And then what happened?

25 A. Well, we didn't have, like, regular sex, we had longer



1 sex because she said I didn't have a condom, and she was  
2 like when she said that I get into her lifestyle, you know,  
3 like buying sex from females, I also was on crack, she was  
4 like, well, you didn't have a condom, and I don't know what  
5 you got in you from having sex with females out there, and I  
6 really didn't know that she knew that I was sexing a lot of  
7 females, I would never do --

8 Q. You thought it was a secret, huh? But where did the  
9 weapon come from, the introduction of the weapon is clearly  
10 what caused the death, so how did that come in?

11 A. Well, after she told me that, I was kinda hurt because  
12 she told me that I don't know if you got AIDS or whatever,  
13 and I just felt hurt and taunted and stuff, but she produced  
14 the weapon and she was like, I will stab you with this  
15 weapon. And somehow at that point, I knew -- I just  
16 snapped, and I just took her life. And I'm sorry for what I  
17 did.

18 Q. You stabbed her 40 times?

19 A. Yes.

20 Q. Takes a while to stab somebody 40 times.

21 A. Yes, I know. I didn't -- they told me it was 40 times.  
22 I didn't even believe it was 40 times, but I didn't -- I was  
23 really in a loss of control. It wasn't something that I  
24 intentionally planned or anything like that, my emotions  
25 really just got the best of me and I was really hurt.

1 Q. But this is a woman -- excuse me for interrupting you  
2 -- this is a woman that you knew, not only is it a woman  
3 that you knew, it's a woman that you just said that you  
4 didn't really care for like that because you were just an  
5 associate, knew her in the building, family friend. Right?  
6 That's what you said?

7 A. Yes.

8 Q. My concern is wow, you were emotionally upset to that  
9 degree with a person that you're really not connected with,  
10 this just happened to be, according to you, a casual come up  
11 and listen to music and whatever else happens after that,  
12 and you got that bothered, that explosively so that you  
13 stabbed her 40 times? That's significant, wouldn't you  
14 think?

15 A. Yes, it is. It's not -- it happened, nothing really to  
16 do with her, it could have been -- at that time, you know,  
17 it's hard to say, it probably could have been anybody. It  
18 wasn't just focused on her, what she particularly did, it  
19 was basically what was going on in my life. Like, I was  
20 rejected, I was called ugly, being told that females  
21 wouldn't date me, that my face was spit on. I mean, really  
22 even like today a guy called me like two days ago like a  
23 part of a female body and he was trying to say that I'm soft  
24 and that really -- I know it's just words but, like, going  
25 through what I went through like being discriminated



1 against, being held back, and being put in a position where  
2 I was compromised to being exposed to AIDS, in my heart I  
3 felt that I didn't deserve that lifestyle, off the street.

4 I worked hard and stuff like that so it was  
5 something that was psychological that really hit home, that  
6 really hurt me.

7 Q. Did I understand you to say just a moment ago that just  
8 today or yesterday, I don't know whether you said today or  
9 yesterday, maybe I misunderstood you, that someone called  
10 you something in regards to a female's body part? Did you  
11 say something like that?

12 A. Yeah, you know, he said like you're soft, you're butt,  
13 that means like you're soft, this guy's butt.

14 Q. When did that happen?

15 A. About three or four days ago.

16 Q. And how did you handle that?

17 A. I was a little upset, but you know, like, things that I  
18 learned those are just triggers that are just tryna upset me  
19 to react so I'm not gonna react. I'm just gonna let it go  
20 because sometimes people think that they're better than me  
21 and stuff like that so I just let it go, I didn't respond to  
22 it, I left it.

23 Q. All right. So after you committed the crime you left  
24 with the knife, right?

25 A. Yes.

1 Q. And you tried to dispose of it?

2 A. Yes, I did.

3 Q. You didn't go to the police, you didn't tell anybody,  
4 right?

5 A. Well, at the time I left the apartment with the knife,  
6 I threw the knife away. I live right downstairs, and I told  
7 my uncle what happened and my mother was like, well, we  
8 gotta called police, and all that, and that's how the police  
9 got notified of it. But I was young, I mean, I committed an  
10 act that's really shocking and you know, I was going through  
11 things that are really difficult to explain, and being that  
12 young just being in the state of shock, it wasn't like --  
13 well, I was in a state of shock.

14 Q. Okay. If you are released today, sir -- I don't want  
15 to skip this other part of the instant offense. You were  
16 found with a weapon while incarcerated, right?

17 A. Yes.

18 Q. And your statement was that you were afraid for your  
19 safety?

20 A. Yes.

21 Q. And that fear, is it describable like the other assault  
22 -- sort of assaults that you were mentioning, people calling  
23 you names and, you know, why did you feel you needed  
24 protection?

25 A. Because there was these guys, these black men and, you

1 know, he used to try to stop me, like, in jail, and he  
2 mused my face and like that, (indicating) and he was  
3 telling me, like, I gotta give him money, or else, you know,  
4 I was really in fear of what he was gonna do to me.

5 And then another guy, my neighbor that was locked next  
6 door to me, they had a problem in my whole cell. They took  
7 everything. All my clothes that my mother brought me, they  
8 took it all out of my cell.

9 Q. And now you're in a special unit now, are you not?

10 A. Yes, mental health.

11 Q. Okay. And is that unit, in your estimation, safer? Is  
12 it better for you?

13 A. I mean, it's somewhat safer. I mean, it's the same  
14 stuff that goes on in an ICP unit, like, people are even  
15 sexual assaulted, sexually assaulting people. That one  
16 really hits home because it's like, if you try to inflict  
17 harm on me like people continue to try and once they be like  
18 oh, you let this guy take something from you so now I'm  
19 going to take it from you and then it keeps on going, so  
20 some day you gotta step up and nip it in the bud. Every now  
21 and then somebody gets frustrated, they ain't got no money  
22 from home, they ain't got nothing.

23 Q. And I understand there is a lot of issues with what  
24 others may be going through. But for the purposes of today,  
25 we would just like to sort of keep it on you and the things

1 that you had to experience. So you had alcohol use in your  
2 past, right?

3 A. Yes.

4 Q. Drug use as well, correct?

5 A. I don't think I have a ticket for alcohol, but I think  
6 so.

7 Q. That's inside. But I mean even before that, you had  
8 alcohol before your incarceration?

9 A. Yes.

10 Q. And you used drugs before you were incarcerated, isn't  
11 that correct?

12 A. I tried marijuana. I never used it, like, my drug was  
13 -- the thing I used was alcohol when I was home, people were  
14 always trying to convince me to use marijuana when I was  
15 home, but I wasn't into it.

16 Q. And certainly you were dealing with your mental health  
17 issues at that time as well, right?

18 A. Yes.

19 Q. So did you think that your mental health issues played  
20 a part in your instant offense?

21 A. I think yes because, you know, like, as far as not  
22 being able to deal with what I was going through  
23 emotionally, I think that mentally I was going through some  
24 mentally and emotionally, and yes, I wish that I had the  
25 attention out there and I wish I knew how to seek the proper



1 help that I needed when I was out there, but I was lost, I  
2 didn't know like I know now how to seek help.

3 Q. What about family out there, when you were out there  
4 before where was your family at?

5 A. My mom and my -- my father was on his own, him and my  
6 mom were separated. My brother was always working, my older  
7 brother, he's, like, addicted to crack and cocaine, and dope  
8 and stuff like that, but he passed away. He's the only one  
9 of three survivals. So I had cousins and stuff that was out  
10 there, but nobody really would pay, like, pay me no  
11 attention, because, like, just went on my own because  
12 everybody was dating, my friend was dating my cousin, I was  
13 single when I was out there, I was kinda hurt.

14 Q. But you had a lot of girlfriends, right?

15 A. I had a lot of -- not really a lot, I mean, I had one.

16 Q. You had a couple of girlfriends, I think enough that  
17 your reputation was out there because that's what the girl  
18 said to you. You said that she said to you that you were  
19 with other people, right?

20 A. I only had one -- I was paying for it, like, paying  
21 crack heads.

22 Q. Oh, those were the quality of relationships you had, I  
23 didn't know.

24 A. Yeah.

25 Q. Now I'm clear. Okay, sir. I would like to talk about



- 1 your disciplines, okay?
- 2 A. Yeah.
- 3 Q. So since your last appearance, which was in July of
- 4 2015, right?
- 5 A. Yes.
- 6 Q. You have acquired two Tier IIIs?
- 7 A. Yes.
- 8 Q. One is for alcohol intox, you spent some time in SHU
- 9 for that. As a matter of fact both of them were for alcohol
- 10 intox?
- 11 A. Yes.
- 12 Q. So the Tier IIs were for violent conduct?
- 13 A. Yes.
- 14 Q. Are you an addict?
- 15 A. Yes, at times I was. I was trying to support my habit
- 16 and trying to protect myself, but I realize that I have an
- 17 alcohol problem.
- 18 Q. Okay. And have you taken programming that would
- 19 address that problem thus far, after?
- 20 A. Yes.
- 21 Q. And at your last appearance, the panel made mention of
- 22 your tickets and led you towards having a clean disciplinary
- 23 history at the next opportunity, right? You remember that,
- 24 right?
- 25 A. Yes.

1 Q. Let's talk about your COMPAS score. You're familiar  
2 with these things, right? COMPAS?

3 A. Yes.

4 Q. I took the time to look back at your COMPAS from 2015  
5 and compared them. And your COMPAS today, risk of felony  
6 violence: Medium; arrest risk: Low; and absconding risk is  
7 low. In 2015 your risk of felony violence was low, now it's  
8 medium. So it's stepped up a notch.

9 A. So it went from low to medium?

10 Q. Yeah, it went from low to medium. Your prison  
11 misconduct, it was high at 9 last time, now it's at 10.

12 A. Oh.

13 Q. And your family support was unlikely at 4, unlikely to  
14 be a risk, right? And now it's at 10, it's highly probable  
15 that it would be a risk.

16 So have you -- has some family sort of stepped back  
17 from you a little bit since last time?

18 A. I mean, yeah, my family as they got older, they -- my  
19 mother started to travel and my brother got busy but they  
20 still come see me every time that they can.

21 Q. So they do call you and everything?

22 A. Yeah, and I call my brother all the time, like on  
23 Saturdays -- I haven't called him in a while.

24 Q. What's a while?

25 A. Maybe a month, but his phone is on but, you know, I

1 just -- sometimes I just let him be for a minute. But he's  
2 still here.

3 Q. You let him be or do you isolate yourself? Which one?

4 A. I give him some time. He's with his family, I give him  
5 a little space.

6 Q. A month?

7 A. Yeah, I mean, if I call him every day...

8 Q. Well, maybe not every day, all right. I understand.  
9 You're giving him some space, I got it.

10 A. Yeah.

11 Q. But if every time you call you ask for money then I  
12 understand you call him once a month. Yeah, okay. But if  
13 you ask him how you doing, that's a whole different  
14 conversation.

15 A. Yeah.

16 Q. So if you're released today, [REDACTED] where are you  
17 gonna live?

18 A. I was told I could work closely with mental health and  
19 find some kind of shelter to help me out, finance, stuff  
20 like that. But I would go to a shelter, I start from the  
21 bottom if I have to start from the bottom.

22 Q. But you don't have a place identified as of right now,  
23 as of yet?

24 A. No.

25 Q. And in terms of work, what's on your mind regarding

1 work?

2 A. I'm gonna accept almost any job, like, supermarket, I  
3 worked at a supermarket when I was home. Any job for the  
4 time being that could bring in some money.

5 Another thing I was hoping that, like, social security  
6 might help me because I have scoliosis, diabetes and mental  
7 conditions. But I can work as far as almost any job whether  
8 it's Burger King -- I work -- I want to start my own  
9 business and I want to go back to school, but I know I got  
10 to be financially secure.

11 Q. You got a lot on your plate that you want to do.

12 A. Yes.

13 Q. I have your case plan in front of me. You have the  
14 following goals: Develop stress reduction strategies,  
15 increase ability to cope with depression, stop all substance  
16 abuse and increase positive coping skills.

17 A. Yes.

18 Q. So if you had -- you got substance abuse, you got  
19 mental health, which one would you say is the most critical  
20 for you that you need to get before you move forward, or as  
21 you move forward?

22 A. I think -- I would like substance -- I think that's  
23 more important, but right now I'm doing real good as far as  
24 staying away from the alcohol and stuff like that, I'm doing  
25 real good.

1           Mental health is also very important, you know, I would  
2     like to work closely with mental health.

3     Q.    Okay.  So you think they're both of equal importance,  
4     huh?

5     A.    Yeah, I think mental health might be even more.  
6     Substance is something that I really gotta deal with on my  
7     own mostly, really.

8     Q.    I'm looking at your mental health report that we  
9     received from May of 2017.  It says that you're off  
10    medication now?

11    A.    Yes.

12    Q.    Congratulations on that.

13           There is some recommended treatment:  That you work, as  
14    you said, with the prerelease coordinators and plan for  
15    follow-up services.  So once you get into the community  
16    they're saying that need to work along with a mental health  
17    practitioner.  Are you open for that?

18    A.    Yes.

19    Q.    There is a diagnosis here.  Do you know what that is?

20    A.    Schizophrenic.

21    Q.    Paranoid personality disorder?

22    A.    Yes.

23    Q.    But you're feeling okay now?

24    A.    Yes.

25    Q.    How long have you been off medication?



1 A. Maybe about eight months.

2 Q. Oh, okay.

3 A. A lot of it was doing, like, with my diabetes, because  
4 I'm diagnosed, they would raise my sugar real high and that  
5 together really -- I didn't know, my sugar was high. I  
6 didn't know what was wrong with me.

7 Q. That's because you were eating all those candy bars and  
8 everything, you didn't know?

9 A. Yeah.

10 Q. For mental health treatment, you have root work and  
11 you're seen weekly and you have individual with a therapist  
12 and a psychiatrist. So you got people paying attention to  
13 you in that respect, so the help is available to you. And I  
14 think you appreciate that, don't you?

15 A. Yes.

16 Q. I have your sentencing minutes, you sat before the  
17 [REDACTED] That was in the Bronx?

18 A. Yes.

19 Q. And you also sat before the [REDACTED]  
20 [REDACTED] That was in Westchester County, right?

21 A. Yes.

22 Q. I've considered both of those sets of minutes, two  
23 separate sets. Do you remember anything in either one of  
24 them that you would want to point me to, to read again for  
25 any particular reason?

1 A. Well, I mean, if -- when they say I have no remorse in  
2 my sentencing minutes, I mean, I'll let you be the judge of  
3 it. I did have remorse, like, for my family and theirs, it  
4 wasn't like disregard for what I did, I mean...

5 Q. You didn't have a what? I didn't hear what the word  
6 was.

7 A. Remorse. In my presentencing report it says I  
8 displayed no remorse for my actions. But I believe my  
9 sentencing minutes did show remorse.

10 Q. And you're saying overall you think that there was  
11 remorse indicated through your sentencing minutes or is  
12 there something that the court said or your attorney said or  
13 that you said that was more specifically evident to what  
14 you're talking about?

15 A. Yes. I mean, I did say a statement that I was sorry,  
16 and to the family that I was sorry, and I never think I  
17 showed a complete lack of remorse, but I mean...

18 Q. You stopped in the middle of your sentence. I thought  
19 I heard you say "I mean."

20 A. I mean, some people, they just go passing away, but I  
21 just wanted to point that out. Since it's my opportunity to  
22 do so.

23 Q. That is right, this is your opportunity.

24 COMMISSIONER CRUSE: Commissioner, any questions?

25

1 BY COMMISSIONER THOMPSON:

2 Q. You stated that you're not taking any mental health  
3 medication?

4 A. Yes.

5 Q. Was that your choice?

6 A. It was the doctor's choice and my choice at the time.  
7 The doctor really didn't want to stress me with it and I  
8 kinda convinced the guy that I would do right, do good off  
9 of the medication, so she gave me a trial period. Then  
10 afterwards, she called me back three months later and she  
11 said I was doing good, she's going to continue to monitor me  
12 while I'm off my medication.

13 Q. And it was your decision, you went to mental health and  
14 told them you want to get off the medication?

15 A. Yes.

16 Q. Do you feel better off the medication?

17 A. Yes.

18 Q. How's your thinking, how's your mind at this time?

19 A. My mind is clear, rational.

20 Q. No delusional thoughts or anything like that?

21 A. No I don't have any delusional thoughts.

22 Q. You never feel like you want to hurt yourself or  
23 somebody else?

24 A. No.

25 Q. All right. How long have you abstained from any type

1 of drugs or alcohol?

2 A. The last time was in -- it had to have been at least  
3 probably 16 months, but I'll say a year since my last  
4 ticket.

5 Q. Okay. So since your last infraction?

6 A. Yes.

7 Q. And that was the last time or have you continued and  
8 just haven't gotten caught?

9 A. No, I haven't continued. Because it's really bad with  
10 my -- alcohol with my diabetes, my diabetes is really  
11 getting worse. But at the same time I realized that it's  
12 not for me, I'm ready to try one more time, that's what I'm  
13 saying to myself. I'm trying one more time. And I tried  
14 it, and it didn't go too well, and I realized that it's not  
15 for me.

16 Q. So you don't have those thoughts anymore that you want  
17 to try one more time?

18 A. No. I mean, I would like to drink, but I know I can't.  
19 I mean, I just -- a real addiction, you just drift into it,  
20 like, but at the same time I know I can't do it, especially  
21 with diabetes. And then it just takes control. It takes  
22 control of me to the point that I want to get into trouble,  
23 like, I can't handle it. My body can't handle it, it forces  
24 me -- I can't handle it. I always get into trouble every  
25 time I drink and I really don't need that.



1 BY COMMISSIONER CRUSE:

2 Q. How long have you been in the special treatment unit  
3 for your mental health?

4 A. Since 2010. I've been here since I initially came to  
5 the ICP program in 2010.

6 Q. And that was well before your last appearance?

7 A. Yes.

8 Q. And your behavior that you got tickets for continued to  
9 spiral even though you were getting intensive treatment?

10 A. Yes.

11 Q. Well, how can we turn that around, now? I mean, the  
12 Department has placed you in an area, in a unit that's going  
13 to give you specific help with the medication and so forth.  
14 You were on medication then, and you continued to pick up  
15 tickets, alcohol, creating a disturbance. I'm going back  
16 just giving the dates that you gave us, 2010.

17 A. Yeah.

18 Q. You know, how do we turn that around or how do you turn  
19 that around? It doesn't seem like we've turned the corner  
20 yet from a disciplinary standpoint.

21 A. For a long time I turned it around, like, in 2010 I  
22 wasn't getting into any trouble whatsoever, but then in the  
23 mental health program I started getting into a lot of  
24 trouble. I mean, me doing time to 2010 it's been almost  
25 three years without no misbehavior.



1 Q. Two years. From 2009 to 2011 (indicating)?

2 A. Yeah, but then when I got into mental health, I don't  
3 know. I guess I just got a little loose when I came into  
4 the ICP program. But now, you know, I realized that I've  
5 calmed down a lot now. Significantly.

6 Q. Since your last ticket?

7 A. Yeah.

8 Q. And that was in 2016?

9 A. Yeah.

10 Q. So you were going this way and all of the sudden, now  
11 you calmed down, flat lining for me (indicating), now you're  
12 easing off.

13 A. Yes.

14 Q. Can you hold onto that behavior?

15 A. Yes.

16 Q. Are you a risk, sir?

17 A. No. I mean, once I put my mind to something, I do it,  
18 like, I do it.

19 Q. But if you didn't put your mind to not being a risk  
20 yet, then I'm questioning where we're going with this. Are  
21 you a risk? What's the answer?

22 A. No, I'm not a risk. It's just that at the time, like  
23 between my last board and, you know, it was a lot of stress,  
24 a lot of pressure, and I am -- I was struggling with  
25 alcoholism, I still am, and like right now, I know that it

1 won't -- I promise you, it won't be -- I'm not messing with  
2 no alcohol, especially if I'm gonna go home, I'll never  
3 commit a crime. I worked at Burger King, I worked at  
4 places.

5 Q. We gotta get back to that point, you know, where you  
6 are now, we got to get through this and you got to behave  
7 properly and respect the law and make the proper adjustments  
8 so that not only do you feel safe but we can agree that the  
9 public would not be at risk as well.

10 So, sir, let me just say this to you: That the  
11 department has reached out to judges, DAs and defense  
12 attorneys and have asked what their opinion has been, was,  
13 or is regarding the possibility of your release, and we have  
14 received responses from them.

15 A. Yes.

16 Q. So with that, we do know we are going to consider those  
17 responses as well, okay?

18 A. Yes.

19 COMMISSIONER CRUSE: Commissioner, any further  
20 questions?

21 COMMISSIONER THOMPSON: No questions.

22 BY COMMISSIONER CRUSE:

23 Q. We'd like to end the interview, sir. Before I turn it  
24 over to you for any last statements that you would like to  
25 tell us, I want to once again thank you for your packet. It

1 seems to have been driven by the parole preparation project  
2 of the national lawyer's guilt called the advocacy packet,  
3 it makes you look real good in this packet.

4 You have letters of support from [REDACTED] you have some  
5 personal letters from a [REDACTED] You know [REDACTED]  
6 [REDACTED]

7 A. That's my brother.

8 Q. [REDACTED]

9 A. That's my son.

10 Q. Where did you get [REDACTED] from?

11 A. I got it from my father, he got the same name. He made  
12 one misspelling on the last name, his name is [REDACTED] instead  
13 of [REDACTED] It was kinda like a typo.

14 Q. Well, I hope [REDACTED] isn't a typo error because then you  
15 would end up being crowned somewhere and we'd have to come  
16 find you.

17 [REDACTED] he's a social worker, right?

18 A. Yes, that's my younger brother.

19 Q. It's a good look to have somebody in your family that  
20 has accomplished that.

21 There is a letter here from [REDACTED] from [REDACTED] from  
22 [REDACTED] and from [REDACTED] a certificate of  
23 achievement (indicating).

24 You've been busy, sir, and we're going to now ask you  
25 if you have any final statements. We'd like to close the

1 interview.

2 A. I would like to say thank you for giving me the  
3 opportunity and I'm sorry for all those I hurt, the family,  
4 my family, the family of the victim and I thank you and  
5 that's it about it.

6 Q. Who did you hurt?

7 A. The family of the victim; she had a sister, a father,  
8 mother, and other nephews and stuff like that. I hurt  
9 myself, I hurt my mother, I hurt my brother, a lot of people  
10 in society, and I know it's gotta be kinda hard, and I  
11 apologize.

12 Q. Very good, sir; thank you so much.

13 We'll deliberate on everything we talked about and  
14 we'll write you our decision. All right? Take care,  
15 thanks.

16 A. All right, thank you.

17 (Whereupon, the proceeding was concluded at 3:06 p.m.)

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1 (After due deliberation by the Parole Board Panel, the  
2 following Decision was rendered:)

3 D E C I S I O N

4  
5 Denied 24 months.

6 Next appearance: July, 2019.

7  
8 After a review of the record, interview, and  
9 deliberation, the panel has determined that if  
10 released at this time, there is a reasonable  
11 probability that you would not live and remain at  
12 liberty without again violating the law and that your  
13 release would be incompatible with the welfare and  
14 safety of society and would so deprecate the serious  
15 nature of the crime as to undermine respect for the  
16 law. Parole is denied.

17 Required Statutory factors have been considered,  
18 together with your institutional adjustment including  
19 discipline and program participation, your risk and  
20 needs assessment, and your needs for successful  
21 re-entry into the community. More compelling is that  
22 the instant offense marks your first New York State  
23 incarceration resulting from your conviction for  
24 murder second A1 and promotion of prison contraband  
25 where you stabbed your victim 40 times, leaving her on



1 the kitchen floor of her apartment. You knew your  
2 victim and her family; you were neighbors in the same  
3 building. At another time in a separate indictment  
4 while at Sing Sing Correctional Facility, you  
5 possessed a weapon, a toothbrush with a sharpened  
6 screw melted into the handle. The interview revealed  
7 some of the reasons for your behavior to include but  
8 not limited to; fear, embarrassment, anger and being  
9 harassed. A review of the course of your discipline  
10 history revealed an array of Tier II infractions.  
11 Moreover, you amassed Tier III infractions to include  
12 but not limited to creating a disturbance, unhygienic  
13 act, weapon, violent conduct, fighting, arson, and  
14 alcoholic intox. Since your last appearance, your  
15 disciplinary history continues. Two Tier III tickets  
16 both for alcohol intox. Your justification was  
17 stress. Your case plan featured three goals, though  
18 appropriate, are worthy of further development.  
19 COMPAS concerns are medium risk for felony violence,  
20 high for prison misconduct, and highly probable for  
21 family support. As compared with your June 2015  
22 COMPAS, your 2017 score for risk of felony violence  
23 changed from low to medium, and family support from  
24 unlikely to highly probable. Your Mental Health Level  
25 1S placement in ICP since 2010 and your recent

1           discontinuance of medication is of critical concern to  
2           the panel. The panel applauds your positive efforts,  
3           yet both the public interest and your personal safety  
4           are at issue. Therefore, based on all the required  
5           factors in the file considered, discretionary release  
6           at this time is not appropriate.

7                       (Commissioner Thompson concurs)

8                               (HEARING CONCLUDED)

## C E R T I F I C A T I O N

I, Brynn C. Reynolds, do hereby certify that I attended the foregoing proceedings in the matter of PRINCE BACKMAN and took stenographic notes of the same, and that the foregoing is a true and correct transcription of same and the whole thereof.

Dated: July 13, 2017

Brynn C. Reynolds

Brynn C. Reynolds

Court Reporter